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ROBERT JOSEPH BEASLEY, LONGBOAT
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7
8 IN THE UNITED STATES DISTRICT COURT
9 FOR THE NORTHERN DISTRICT OF CALIFORNIA
10 SAN FRANCISCO DIVISION

11 COMMODITY FUTURES TRADING
12 COMMISSION,

13 Plaintiff,

14 v.

15 ROBERT JOSEPH BEASLEY, LONGBOAT
16 GLOBAL FUNDS MANAGEMENT, LLC,

17 Defendants.
18
19

Case No. C-05-2142 PJH

**STIPULATION AND ~~[PROPOSED]~~
ORDER EXTENDING DISCOVERY
CUTOFF**

20 Counsel for Plaintiff Commodity Futures Trading Commission and for Defendants
21 Robert Joseph Beasley and Longboat Global Funds Management, LLC stipulate and agree that,
22 with the Court's permission and for the reasons stated herein, the discovery cutoff date be
23 extended from the presently-set date of February 7, 2007 to and including March 5, 2007.
24

25 Counsel for Defendants Beasley and Longboat represent that the extension is needed for
26 the following reasons:

27 1. On August 15, 2006, a substitution of counsel with this Court was filed on behalf
28 of Defendants Robert Joseph Beasley and Longboat Global Funds Management, LLC.

2. In December of this year, the parties by agreement, and with this Court's approval, continued the mediation of this matter from December 6, 2006 to January 17, 2007 because Mr. Beasley had various scheduling conflicts that precluded his flying from Montana to San Francisco to attend the previously scheduled mediation, including, *inter alia*, (1) a meeting with the county planners to discuss and submit a permit for a gravel pit to allow him to begin gravel extraction on one of his Montana properties, (2) the final walk-through, document signing, and closing of the Montana real property known as Angel Point (which sold for \$3 million), and (3) a meeting with California investors regarding the sale of the Montana real property known as the Sleeping Child Hot Springs (which is listed for \$18 million). The continuation of the mediation allowed the Angel Point Sale to go through in a timely manner, and generated approximately \$500,000 (which was wired to the Receiver out of escrow) to pay down the notes Mr. Beasley personally guaranteed.

3. In connection with the continuation of the mediation, and for reasons of efficiency and economy, the parties (and the Receiver) also agreed to continue Mr. Beasley's deposition from December 7 to January 18, and hold both the mediation and Mr. Beasley deposition on consecutive days in San Francisco.

4. While the parties are optimistic that the mediation will resolve this matter, because the current discovery cutoff falls only three weeks after Mr. Beasley's deposition, counsel for both sides agreed to seek this Court's approval to extend the discovery cutoff for 45 days after Mr. Beasley's deposition – to March 5, 2007 – so that there is adequate time to finish discovery and file discovery motions should this prove necessary.

For the forgoing reasons the parties respectfully request that the discovery cutoff date be extended to and including March 5, 2007.

Dated: January 5, 2007

COLLETTE ERICKSON FARMER & O'NEILL LLP

/s/ Robert Scott Lawrence

Robert Scott Lawrence
Attorneys for Defendants
Robert J. Beasley and Longboat Global Funds
Management, LLC

1 Dated: January 5, 2007

COMMODITY FUTURES TRADING COMMISSION

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3 /s/ Allison P. Lurton

Allison P. Lurton

4 Attorney for Plaintiff

5 Commodity Futures Trading Commission

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7 IT IS SO ORDERED this 8th day of January, 2007.

